

## **PROCEEDINGS OF THE HISTORIC CONSERVATION BOARD**

**MONDAY, DECEMBER 17, 2001**

**3:00 P.M., J. MARTIN GRIESEL ROOM, CENTENNIAL PLAZA II**

The Historic Conservation Board met at 3:00 P.M., in the J. Martin Griesel Room, Centennial Plaza II, with members Bloomfield, Borys, Clement, Kreider, Raser, Senhauser, Spraul-Schmidt present. Members absent: Sullebarger and Wallace.

### **NEW BOARD MEMBER**

Ely Ryder, Esq. administered the Oath of Office for a term ending May 31, 2002 to new Historic Conservation Board member Cassandra Clement.

### **CERTIFICATE OF APPROPRIATENESS, 408 MILTON STREET, PROSPECT HILL HISTORIC DISTRICT**

Urban Conservator William Forwood summarized the staff report and showed a site plan and elevation drawing for this application by the City of Cincinnati Recreation Commission to construct a new retaining wall in the Boal Street Municipal Park within the Prospect Hill Historic District. Mr. Forwood indicated that the new wall would be of cast concrete in a color and pattern to simulate stone. The Prospect Hill homeowners association reviewed and accepted the scheme but requested that landscaping be added to camouflage the wall. Staff also recommended that additional landscaping be included as a condition of approval and that the wrought iron fence on top of the wall will be removed from the proposed wall design unless it is necessary or required as a safety measure.

Mr. Mike Hornberger represented the City's Recreation Commission and answered questions from the Board. Mr. Senhauser suggested that the configuration of the wall did little to create recreation space and seemed unrelated to the topography of the site or the character of adjacent walls. Mr. Hornberger responded that the design was that recommended by structural engineer H. C. Nutting, based upon test borings indicating potential movement of the hillside; this report also indicated the minimum wall heights shown on the plan.

### **BOARD ACTION**

The Board voted unanimously (motion by Bloomfield second by Borys) to approve a Certificate of Appropriateness to construct a new retaining wall with the following conditions:

1. The wall should be back-filled so that no more than 4'-0" is exposed above grade;
2. The wrought iron fence should be removed from the proposed wall design unless it is necessary/required as a safety measure;
3. The wall must be appropriately landscaped; and

4. The revised plans, including landscaping, shall be submitted to the Urban Conservator for approval prior to construction.

**CERTIFICATE OF APPROPRIATENESS, 2735-2737 CLEINVIEW AVENUE,  
CLEINVIEW-HACKBERRY HISTORIC DISTRICT**

Mr. Forwood presented the staff report on this application to replace a tile roof on this contributing building in the Cleinview-Hackberry Historic District. He said that the building is rather simple in massing and detail and that the tile roof is one of its most important architectural features. The applicant proposes to replace the tile roof with a new 40-year GAF slate-line roofing system. Mr. Forwood indicated that the district guidelines specifically address tile roofs within the district, stating that clay tile roofs should be retained or replaced in kind. The guidelines suggest no acceptable replacement for clay tile roofs.

The applicant has provided documentation that, because the underlying sheathing has deteriorated, the entire roof must be removed and either reinstalled in tile or another roofing material. Comparative estimates indicate that replacement with tile identical or similar to the existing will cost between \$28,500 and \$31,500; replacement with a new 40-year GAF slate-line roofing system and trim is estimated at less than \$12,000. Although the removal of the existing clay tile roof would diminish the architectural quality of the building, staff recommended that the Board approve the proposed GAF system due to the higher cost of replacement in clay tile.

Building owner Mr. Stewart Turnbull and contractor Mr. Phillip A. Bowling of PKB Roofing and Sheetmetal were present to answer questions from the Board. Mr. Turnbull said that the roof was severely deteriorated and leaking; at least one tenant has threatened to leave if the situation is not resolved. He said that the attic of the property is finished; so the underside of the roof is not accessible from the interior. Mr. Turnbull said the proposed roof is consistent with other replacement roofs in the district.

Mr. Kreider suggested that the initially higher cost of replacing the roof in clay tile might be offset by its longer life. He requested a comparison of the useful life of the 40-year rated shingles and the 80-year clay tiles and asked for additional confirmation that replacing the roof in kind is not economically feasible or prudent. Mr. Turnbull said that he has overhauled the existing roof twice--once about 1990 and once in 1995 and that two roofers have independently told him the roof was improperly installed.

Mr. Senhauser and Mr. Raser emphasized that the roof of this building is its strongest historic characteristic; the HCB is, therefore, reluctant to approve its removal. Mr. Turnbull said the rental income from the building does not justify the extra expense of replacing the existing roof in kind and pointed out that no one from the neighborhood has objected to replacement of the tile roof. Mr. Bloomfield agreed that the rental value of the building would not increase because of a clay tile roof and that requiring the owner to incur the extra expense was not reasonable.

**BOARD ACTION**

The Board voted (motion by Kreider second by Raser) to table action on this matter until the January 7, 2001 HCB and requested the owner provide more a detailed cost and income analysis on the different roofing alternatives.

**CERTIFICATE OF APPROPRIATENESS, 3719 SACHEM AVENUE, COLUMBIA  
TUSCULUM HISTORIC DISTRICT**

Staff member Daniel Young presented the staff report for this application for a COA to demolish a house severely damaged by fire. The building had been identified in the historic district designation as a contributing building but had been substantially modified. Mr. Young said the house would be demolished to create a new building lot, but that no plan had been presented for a replacement structure. He circulated insurance company documents declaring the building a total loss.

Mr. Young said the community supports the demolition but is extremely concerned that any new construction at the site is compatible with the community. Staff recommended approval of the application with the condition that the street-facing stone retaining wall be maintained. He emphasized that at this time the HCB is considering only the application for demolition.

Ms. Arlene Golembiewski, 3723 Sachem, said she was concerned about views from adjoining properties that might be disrupted by new construction. She invited the HCB to meet with community representatives to discuss recently-built houses in the district that neighbors feel do not meet historic guidelines. She supported the demolition application but expressed concern that:

1. The COA for demolition is being sought without consideration of plans for a replacement structure.
2. This lot is the gateway to the street; therefore, any replacement structure affects the whole neighborhood and must be compatible with the community, especially with regard to views, size, massing and historic detail.
3. This lot is small for the neighborhood; most of the recently constructed houses have been larger than their neighbors.

Mr. Garrett Walker, 3724 Sachem, said the lot price is high enough that it could encourage construction of a very expensive house that would be incompatible with the rather modest character of neighborhood. He asked that any listing real estate agent make clear to prospective buyers that this is an historic district. He and Ms. Golembiewski agreed that the neighborhood would not object to a new house with the same footprint as the one demolished.

Mr. Ben Young, 3714 Morris Place and president of the Columbia-Tusculum Community Council, supported issuance of the demolition certificate with these conditions:

1. The new structure should be built in strict conformance with the guidelines.
2. The stone retaining wall be maintained.
3. The community council receive ample notice of any HCB hearings on this property to allow the council to consider proposed designs at a regularly scheduled council meeting.

4. The demolition of this house will directly impact hill slippage for some residences on Creighton Place.

Mr. Anthony Limke, 3804 Creighton Place (the adjoining property), requested that a condition of approval for demolition be the retention of the portion of the foundation that serves as a retaining wall at his property line. Mr. Raser suggested that Mr. Limke inform the Building Department that the foundation wall serves as a retaining wall that should be maintained.

Ms. Mary-Winn Godar, the listing real estate agent, said the fact that this property is in a historic district, is on the listing contract and that she is happy to emphasize this and the fact that the retaining wall must be maintained by the owner and any potential buyer.

### **BOARD ACTION**

The Board voted unanimously (motion by Bloomfield second by Spraul-Schmidt) to approve a Certificate of Appropriateness for the demolition of the building at 3719 Sachem Avenue in the Columbia Tusculum Historic District, finding that the structure cannot be reused nor can a reasonable economic return be gained from the use of all or part of the building, with the conditions that:

1. Prior to the demolition of the existing building, the applicant submit to the Urban Conservator a survey documenting the height and footprint of the existing building on the lot.
2. The owner maintain the existing perimeter stone walls at the streets and maintain and protect against collapse the existing building foundation wall that acts as a retaining wall for adjoining properties.

### **CERTIFICATE OF APPROPRIATENESS AND APPROVAL OF DEVELOPMENT PLAN IN AN EQ DISTRICT. 545 TUSCULUM AVENUE, COLUMBIA TUSCULUM HISTORIC DISTRICT**

Senior Planner Daniel Young presented a summary of the staff report on this request for new construction first presented to the HCB at a preliminary design review June 25, 2001. At that meeting the Board approved a request for demolition of an existing building at this address with the understanding that plans for a new residence on the site would come back to the HCB for both historic and EQ review. At the time, the HCB raised five points about the proposed replacement residence and requested the applicants to address them in the final design.

Mr. Young said that, although there have been changes to materials and details, the plan presently proposed is similar to that presented for preliminary design review in June. A nearly identical house proposed for the adjoining lot at 551 Tusculum Avenue (outside the historic district) has received EQ approval. Staff has suggested that the entry porch be made more prominent and that a front walkway connect the house to the street, but otherwise recommend that the HCB approve the proposed design as meeting the guidelines for the EQ and historic district. Mr. Raser moved acceptance of the staff report recommendations; Ms. Spraul-Schmidt seconded.

The developer's representatives John Richardson and Dutch Cambruzzi were present to provide additional information on the project and to answer questions from the Board.

Mr. Richardson said the face of the gables and glass door will be wood; the siding will be Hardiplank; the decks will be painted or receive an opaque stain. He said that alternative locations for the garage were considered, but that the configuration of the lot necessitated a front entrance garage. Although materials are not included in the specifications before the HCB today, he said the developers are open to HCB recommendations. Mr. Cambruzzi said the developers have considered alternatives to meet the HCB and community concerns, and will study redesign of the entryway and porch.

Mr. Ben Young, 3714 Morris Place and president of the Columbia-Tusculum Community Council, suggested that the proposed house is larger and more expensive than others in the district and is an exact duplicate of the one proposed for 551 Tusculum. He suggested any garage be detached and at the rear, that roof shingles resemble slate and that the front porch be wood rather than concrete.

Ms. Arlene Golembiewski, 3723 Sachem, said the street-facing garage does not conform to historic district guidelines; the proposed house is twice as wide as others on the street and half of this width is the garage. She said the roofline is staggered and the massing is horizontal, rather than vertical as other district houses.

Mr. Garrett Walker, 3724 Sachem, commented that the Victorian flavor of the neighborhood is being destroyed by the introduction of new, non-conforming dwellings.

Mr. Raser said the design as presented today is inappropriate for the district because of the massing, size, and front garage doors. The Board suggested that the two lots at 545 and 551 Tusculum Avenue be developed together to allow garage entrances at the rear of the site. The Board expressed general concern that the applicant had not sufficiently addressed its concerns expressed at the preliminary design review.

#### **BOARD ACTION**

The Board voted unanimously to deny a Certificate of Appropriateness for the proposed residence finding that the proposed design was not compatible in scale and design with other historic district buildings in the district.

The Board then voted unanimously (motion by Kreider second by Bloomfield) to reconsider the motion.

Mr. Cambruzzi and Mr. Ben Young addressed the Board. Each restated his position and their willingness to work together to find an acceptable compromise design, if possible. Mr. Cambruzzi said that he was not anxious to construct a residence that the neighborhood found objectionable, but he emphasized that he could not reduce the size of the building footprint and that front-facing garage doors are a requirement.

Upon a motion by Mr. Raser, seconded by Ms. Spraul-Schmidt, the Board voted to refer this matter to a committee of the Board to meet with representatives of the community council and the developer to consider a mutually acceptable design. Mr. Senhauser appointed Ms. Borys, Mr. Kreider and Mr. Raser to serve on the committee.

**CERTIFICATE OF APPROPRIATENESS AND ZONING VARIANCE, 1304  
MAIN STREET, OVER-THE-RHINE (SOUTH)**

Mr. Forwood presented the staff report on the application for the expansion of a porch and the construction of an exterior stairway at the rear of 1304 Main Street, a contributing building in the historic district. The proposal includes the construction of a 15-foot high security wall at the rear property line. Mr. Forwood pointed out that the Board had not previously approved a security wall or fence of that height in the historic district. Staff recommended that the expansion of the deck and rear porch be approved as proposed, but that the height of the security wall be reduced to a height of seven feet.

Owner Tareq Adwani was present to answer questions from the Board. He said the proposed exterior stairway would provide a second means of egress from the three-unit building. In answer to Mr. Bloomfield, Mr. Adwani said he was unaware whether the new deck and stair would allow the removal of the front fire escape. Mr. Senhauser said that although the proposed rear security wall is high, it did relate to the adjoining garages and if faced in brick would read as a rear building. He suggested its height be limited to that of the second floor railing of the new porch/stair.

**BOARD ACTION**

The Board voted unanimously (motion by Bloomfield second by Spraul-Schmidt) to

1. Find that the proposed stairway system meets the Over-the-Rhine (South) Historic District Guidelines and approve a Certificate of Appropriateness for its construction with the following conditions:
  - A. The new stairway system be painted;
  - B. The railing shall have panels with a smooth rather than a board-and-batten face;
  - C. The existing fire escape on the front of the building be removed if indeed the proposed exterior stairway provides the egress from the building required by zoning regulations; and
  - D. All design/plan revisions must be submitted to the Urban Conservator for approval prior to construction.
2. Grant approval of a zoning variance for the required rear yard setback to construct the exterior stairway system, based on the discussion in the staff report, finding that such relief:
  - A. Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic, architectural or aesthetic integrity; and
  - B. Will not be materially detrimental to the public health, safety and welfare or

Injurious to the property in the district or vicinity.

3. Find that the proposed security wall meets the Over-the-Rhine (South) Historic District Guidelines and approve a Certificate of Appropriateness with the following conditions:
  - A. The security wall shall be no higher than the height of the second floor deck plus the height of the railing required for a three-family dwelling.
  - B. All design/plan revisions must be submitted to the Urban Conservator for approval prior to construction.

**DOWNTOWN DEVELOPMENT VARIANCE AND CERTIFICATE OF APPROPRIATENESS, 54-56 EAST COURT STREET, COURT STREET HISTORIC DISTRICT**

Staff member Caroline Kellam presented the staff report on this request for a COA and Downtown Development District variance for signs already installed at this address. Ms. Kellam indicated that three signs had been installed on the building – one wall sign and two projecting signs (on the Court Street façade and at the corner of Court and Vine Streets.

Ms. Kellam said that under DD zoning, only one projecting sign is permitted per street front. Additionally, the projecting signs exceed the maximum dimensions allowable under zoning and conform to only two of the required DD guidelines for projecting signs. Ms. Kellam said that the three signs create a cluttered appearance on the Court Street façade that violates the historic district guidelines. Staff recommended that the cluttered appearance (as well as the problem of two projecting signs per façade) could be resolved with the removal of the Court Street projecting sign. Staff also recommended that zoning variances be granted for the DD projecting sign guidelines and for size to allow the existing corner sign.

Jack Cox, owner of the business, was present to answer questions from the Board. Ms. Kellam said no one had attended the pre-hearing.

Mr. Kreider suggested that a zoning variance may be warranted in this situation since this is a corner building and includes two storefronts on Court Street. He said the corner would be the most appropriate location for the projecting sign.

**BOARD ACTION**

The HCB voted unanimously (motion by Spraul-Schmidt second by Raser) to:

1. Find that all conditions stipulated in 1443-507 of the Cincinnati Zoning Code (Standards for Granting a Variance) outlined in the staff report are met with the condition that the projecting sign on the East Court Street façade be removed.
2. Grant a variance of Section 1443-409 (b) (Projecting Signs) of the Cincinnati Zoning Code to waive the maximum size requirement and the three-guideline requirement for one projecting sign.

3. Approve a Certificate of Appropriateness for one projecting sign and one wall sign with the following conditions:
  - A. The East Court Street projecting sign and bracket must be removed and the wall repaired; and
  - B. Final details and locations of the signs shall be submitted to the Urban Conservator for final review and approval prior to issuing a Certificate of Appropriateness.

**DOWNTOWN DEVELOPMENT VARIANCE AND CERTIFICATE OF APPROPRIATENESS, 806 MAIN STREET, MAIN STREET HISTORIC DISTRICT**

Ms. Kellam presented the staff report on this application to relocate a 1950's-vintage projecting sign from 218 East 9th Street to 806 Main Street. The plastic sign is internally lit and features an arrow of tracer lights. She said this sign does not meet the guidelines for the historic district. Additionally, the sign is larger than allowable for a projecting sign in the DD, extends further from the façade than permitted and would be mounted lower than the 10'-0" minimum required in the DD. Ms. Kellam said zoning variances would be required for each of these conditions. She said some neighbors have objected to relocating the sign.

Mr. Robert Shropshire, owner of the business, and Bob Carpenter, Carpenter Sign Service, were present to answer questions from the Board. Mr. Carpenter showed a photograph of the façade of 806 Main Street and drawings of its mounting.

Mr. Carpenter said that this interior-lighted sign has been used by the Shropshire business since 1948 and is now really an icon. Mr. Shropshire said the sign has moved with the business from its original site on John Street to Central Avenue, to Sycamore Street, to Ninth Street. Mr. Kreider said that the sign had itself attained some historical value by association with the business. Mr. Senhauser suggested the sign be mounted off center to allow a higher mounting without interfering with the second floor projecting bay.

**BOARD ACTION**

The Board voted six in favor, Mr. Bloomfield opposed, (motion by Kreider second by Clement) to:

1. Find that the sign is an icon of the business because of its age and familiarity.
2. Find that the granting of the variance under section 1443-507 of the Cincinnati Zoning Code (Standards for Granting a Variance) will satisfy the conditions of granting a variance because the presence of the other signage on the street would be an undue hardship to the Shropshire business if the variance is not granted.
3. Find that granting a variance would have no material adverse effect on access or a substantial detriment to the public good.
4. Grant a conditional use variance to approve this particular sign for this particular business, with these conditions:
  - a. It must be mounted with an appropriate decorative bracket, to be approved by the Urban Conservator.



- b. The Urban Conservator must approve the location of the sign for height and projection before installation.
- c. This variance runs with this business, not the building.

**OTHER BUSINESS**

*Proposed Mohawk Historic District*--A report recommending formal designation of this district is expected to come before the HCB in February 2002.

**ADJOURNMENT**

As there were no other items for consideration by the Board, the meeting adjourned (motion by Spraul-Schmidt second by Borys).

---

William L. Forwood  
Urban Conservator

---

John C. Senhauser  
Chairman

---

Date